

**REMARKS/ARGUMENTS**

Claims 14-21 are pending.

Claims 14-17 are withdrawn from consideration.

Claims 18-21 stand rejected.

Claim 18 has been amended. Support for this amendment can be found throughout the specification and drawings, as originally filed.

The specification has been amended to correct various typographical errors. Support for these amendments can be found throughout the specification and drawings, as originally filed. The Applicants aver that no new matter has been added.

The drawings have been amended to correct various typographical errors. Support for these amendments can be found throughout the specification and drawings, as originally filed. The Applicants aver that no new matter has been added.

This response is submitted in response to a final office action. The Applicants submit that the instant response places the application in a condition for allowance, or alternatively, in better form for appeal.

**DRAWINGS OBJECTIONS**

The drawings stand objected to.

The Applicants have amended the drawings in substantial accordance with the Examiner's suggestions. Specifically, the drawings, including Figs. 8-12, have been amended to correct reference numerals corresponding to elements disclosed in the specification. More specifically, the leader line corresponding to reference numeral 412 of Fig. 8 has been redrawn to terminate on the frustoconical portion of the plug 402 and

reference numeral 420 has been substituted for one occurrence of reference numeral 416 to refer to the groove located on the plug; in Fig. 9, the leader line for reference numeral 460 has been redrawn to more accurately refer to the groove, and the leader lines for o-rings 454 and 456 have been extended to terminate in the o-rings themselves; in Fig. 10, the reference numeral 514 and leader line thereof has been redrawn to more clearly refer to the groove and the leader line for reference numeral 504 has been extended to terminate in the o-ring itself; in Fig. 11, the leader lines corresponding to reference numerals 618 and 620 have been redrawn to terminate on their respective groove surfaces and reference numeral 622 and leader line thereof has been added to refer to the grooved portion of the port; and in Fig. 12, reference numerals 710 and 712 and their corresponding leader lines have been redrawn to more clearly refer to o-ring and recess, respectively. Replacement sheets for Figs. 8-12 are submitted herewith. The Applicants aver that no new matter has been added by virtue of these amendments.

Accordingly, the Applicants submit that the objections to the drawings have been overcome.

### **CLAIM OBJECTIONS**

Claims 18-21 stand objected to because of alleged informalities.

The Applicants respectfully traverse the objection to claims 18-21.

The law is clear that a claim in dependent form shall be construed to incorporate all the limitations of the claim to which it refers. 35 U.S.C. 112, fourth paragraph.

In the interests of expediting prosecution of the instant application, and without admission that any amendment is necessary, the allegedly misapplied language has been deleted from claim 18.

Because claim 18 is allowable for at least the reasons stated above, claims 19-21, which further define claim 18, are likewise allowable.

Accordingly, the Applicants submit that the objections to claims 18-21 have been overcome.

**35 USC §103(a) REJECTION**

Claims 18-21 are rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 5,433,489 to Kimura and further in view of U.S. Patent No. 1,862,920 to Boynton.

The Applicants respectfully traverse the 35 USC §103(a) rejection of claims 18-21.

The standard for obviousness is that there must be some suggestion, either in the reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. In addition, "[s]omething in the prior art as a whole must suggest the desirability and, thus, the obviousness, of making" the modification to the art suggested by the Examiner. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 U.S.P.Q.2d (BNA) 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988). Although the Examiner may suggest the teachings of a primary reference could be modified to arrive at the claimed subject matter, the modification is not obvious unless the prior art also suggests the desirability of such modification. *In re Laskowski*, 871 F.2d 115, 117,

10 U.S.P.Q.2d (BNA) 1397, 1398 (Fed. Cir. 1989). There must be a teaching in the prior art for the proposed combination or modification to be proper. *In re Newell*, 891 F.2d 899, 13 U.S.P.Q.2d (BNA) 1248 (Fed. Cir. 1989). If the prior art fails to provide this necessary teaching, suggestion, or incentive supporting the Examiner's suggested modification, the rejection based upon this suggested modification is error and must be reversed. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d (BNA) 1566 (Fed. Cir. 1990).

In the interests of expediting prosecution of the instant application, and without admission that any amendment is necessary, the Applicant has amended claim 18 to recite, among other things, a fitting for a fluid conduit, the fitting comprising: (1) a unitary fitting member having a cap portion, an externally threaded portion and a seal portion, wherein the cap portion includes an annular shoulder portion, wherein the shoulder portion has a diameter at least equal to or greater than a diameter of the cap portion, wherein the cap portion is spaced from the externally threaded portion, the seal portion including a frustro-conical surface and a seal groove, the seal groove formed into the frustro-conical surface and perpendicular thereto, the seal groove being defined by a constant radius; (2) an annular seal member disposed at least partially in the seal groove; and (3) a port for partially receiving the shoulder portion of the fitting member, wherein the shoulder portion is operable to seal the port when the shoulder portion is partially received in the port.

Neither Kimura et al. nor Boynton, either alone or in combination therewith, discloses such structure.

More specifically, neither Kimura et al. nor Boynton teach that the shoulder portion of the cap portion is partially received in the port so as to be operable to seal the port. In fact, Kimura et al. does not teach a shoulder portion whatsoever and

furthermore does not teach a shoulder portion having a diameter equal to or greater than the diameter of the cap portion. Boynton, while arguably disclosing a shoulder portion of the cap portion, clearly teaches that the shoulder portion is to be fully, as opposed to partially, recessed within the port and further requires a pressure sleeve to seal the port.

Thus one of ordinary skill in the art would not look to either Kimura et al. or Boynton, either alone or in combination therewith, to construct a fitting, as presently claimed.

Because claim 18 is allowable for at least the reasons stated above, claims 19-21, which further define claim 18, are likewise allowable.

Accordingly, the Applicants submit that the 35 USC §103(a) rejection of claims 18-21 has been overcome.

### **CONCLUSION**

In view of the foregoing, the Applicant respectfully requests reconsideration and reexamination of the Application. The Applicant respectfully submits that each item raised by the Examiner in the Final Office Action of November 22, 2004 has been successfully traversed, overcome or rendered moot by this response. The Applicant respectfully submits that each of the claims in this Application is in condition for allowance and such allowance is earnestly solicited.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Any needed extension of time is hereby requested with the filing of this document.

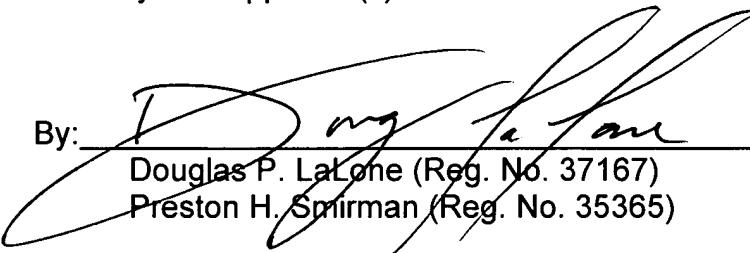
The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 501612. A duplicate copy of this letter is enclosed herewith.

Respectfully submitted,

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**DRAWING AMENDMENTS**

The drawings, including Figs. 8-12, have been amended in substantial accordance with the Examiner's suggestions. Specifically, the drawings, including Figs. 8-12, have been amended to correct reference numerals corresponding to elements disclosed in the specification. More specifically, the leader line corresponding to reference numeral 412 of Fig. 8 has been redrawn to terminate on the frustoconical portion of the plug 402 and reference numeral 420 has been substituted for one occurrence of reference numeral 416 to refer to the groove located on the plug; in Fig. 9, the leader line for reference numeral 460 has been redrawn to more accurately refer to the groove, and the leader lines for o-rings 454 and 456 have been extended to terminate in the o-rings themselves; in Fig. 10, the reference numeral 514 and leader line thereof has been redrawn to more clearly refer to the groove and the leader line for reference numeral 504 has been extended to terminate in the o-ring itself; in Fig. 11, the leader lines corresponding to reference numerals 618 and 620 have been redrawn to terminate on their respective groove surfaces and reference numeral 622 and leader line thereof has been added to refer to the grooved portion of the port; and in Fig. 12, reference numerals 710 and 712 and their corresponding leader lines have been redrawn to more clearly refer to o-ring and recess, respectively. Replacement sheets for Figs. 8-12 are submitted herewith. The Applicants aver that no new matter has been added by virtue of these amendments.